UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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PAUL **GILSON**, EAMON BRADY, PADRAIG MAHER,
DAVID VALE and CHARLES TAYLOR
Junior Party
(Application 10/058,828),

v.

THOMAS E. **BROOME**, JOHN M.K. DANIEL and
THOMAS R. HEKTNER
Senior Party
(Patent 7,094,249).

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Patent Interference No. 105,583 (SCM)
(Technology Center 3700

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1 Before SALLY GARNER LANE, SALLY C. MEDLEY, and MICHAEL P.
2 TIERNEY, _Administrative Patent Judges._
3
4 MEDLEY, _Administrative Patent Judge._

5   **Judgment – Request for Adverse – Bd.R. 127(b)**

6   A telephone conference call was held on 17 April 2009 at approximately

7 10:00 a.m., involving:

1   1.   Mr. Callahan, counsel for Gilson,

2   2   Mr. Lawrence, counsel for Broome, and

3   3.   Sally Medley, Administrative Patent Judge.

4   The parties have settled the interference. Mr. Lawrence represented that

5 Broome requests entry of adverse judgment as to both Counts. 37 C.F.R.

6 §41.127(b). Broome's request is **granted**.

7   Accordingly, it is

8   **ORDERED** that judgment is entered against Broome for Counts 1

9 and 2 (Paper 1 at 4; Paper 40 at 1-2);

10   **FURTHER ORDERED** that claims 1-11 of Broome's involved

11 patent are CANCELED, 35 U.S.C. § 135(a);

12   **FURTHER ORDERED** that the parties shall note the requirements

13 of 35 U.S.C. § 135(c) and Bd.R. 205; and

14   **FURTHER ORDERED** that a copy of this judgment be entered in

15 the administrative records of the involved Broome patent and Gilson application.

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